

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

RUDOLPH W. GIULIANI a/k/a RUDOLPH
WILLIAM GIULIANI

Case No. 23-12055-SHL

Debtor.

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**DECLARATION OF MARISSA GHESQUIERE IN SUPPORT OF
DEBTOR'S APPLICATION TO EMPLOY AND RETAIN
SOTHEBY'S INTERNATIONAL REALTY
AS ITS REAL ESTATE BROKER**

Marissa Ghesquiere hereby declares under penalties of perjury, pursuant to 28 U.S.C. §1746,
to the best of her knowledge, information, and belief:

1. I am the an Executive Vice President of Sales for Sotheby's International Realty, Inc.'s ("SIR") and manage SIR's East Side Manhattan Brokerage (the "Brokerage") located at 650 Madison Avenue in New York, New York, and as such, I am fully familiar with the facts and circumstances set forth herein. I submit this declaration in support of the Debtor's retention of SIR's Brokerage. Rudolph W. Giuliani, also known as Rudolph William Giuliani (the "Debtor") seeks to retain SIR as the Debtor's real estate broker for the sale of 45 E. 66th Street, Apt. 10W, in New York, New York (the "Residence").

Retention Agreement

2. The terms and conditions of SIR's proposed retention are set forth in the listing agreement annexed to the Application as Exhibit A (the "Listing Agreement"). The agreed upon commission in the Listing Agreement is four (4%) percent of the total purchase price for a direct sale involving no cooperating broker and five (5%) of the total purchase price, with a 2.5% commission paid to SIR and a 2.5% commission paid to a cooperating broker if there is a cooperating broker. This commission formula is consistent with market standards.

3. SIR understands that all commissions are subject to a successful sale, and SIR will not be paid until there is a closing on the Residence, which is subject to approval by this Court.

Qualifications

4. SIR is part of the Sotheby's International Realty brand with 48 offices in seven states, including New York, with over 2,300 sales associates. SIR's sales associates are independent contractors of SIR. The SIR brand is also franchised both domestically and internationally to franchises who meet the highest standards of the SIR brand.

5. SIR is well qualified to perform the services required under the Retention Agreement to sell the Residence. SIR has been recognized as an industry leader in the sale of premier Manhattan residences. The brand's worldwide network, as well as the association with Sotheby's Auction House, provides sellers with exposure to a unique and qualified group of buyers. Quite simply, these purchasers expect SIR's listings to be the finest properties on the market, and they are willing to pay premium prices to secure them. To that end, SIR is prepared to commit to a very strong marketing and advertising campaign with the goal of achieving the strongest possible purchase price.

6. SIR's Senior Global Real Estate Advisor and Associate Broker, Serena Boardman, will be primarily responsible for marketing the Property. Ms. Boardman started with SIR in 2001. Since that time, Ms. Boardman has sold in excess of \$4 billion dollars in property. Ms. Boardman is currently ranked the highest producing SIR broker. The Wall Street Journal has ranked Ms. Boardman as the number one broker in the United States by sales volume.

7. In 2014, Ms. Boardman set the sales record for a New York City cooperative apartment by selling the Penthouse at 960 Fifth Avenue for \$70 million. Two months later, Ms. Boardman surpassed this new record by representing both the buyer and the seller of a high floor

apartment at 740 Park Avenue, which closed for \$71.3 million. Since then, Ms. Boardman set a new record by selling an apartment at 834 Fifth Avenue for \$77.5 million in a transaction where she represented both the buyer and the seller.

Disinterestedness

8. SIR is not a creditor of the Debtor and does not otherwise hold or represent any interest adverse to the Debtor's estate.

9. In connection with preparing for this engagement, SIR reviewed the names identified on the list of creditors and equity holders attached hereto as Exhibit 1 for any potential conflicts with SIR's database of listings that are active, pending, closed, expired, or otherwise terminated and sales transactions that have closed. This is a database of SIR's transactions in all offices throughout the country in which SIR has operated or currently operates. While SIR may have provided residential real estate brokerage services to certain of the parties listed on Exhibit 1 for either buyers or sellers in sales transactions that have closed in the past, SIR has determined that it has no active or pending listings with anyone listed on Exhibit 1, including in the East Side Manhattan Brokerage. SIR owns 48 offices in seven states with over 2,300 sales associates; it cannot feasibly maintain a central database of every connection SIR may have with third parties; however, should SIR become aware of any conflict, connection, or financial relationship not already disclosed herein, SIR will make a supplemental disclosure.

10. In view of the foregoing, SIR is disinterested and has no disabling conflicts which would impede its engagement as the broker for the sale of the Residence.

Dated: New York, New York
May 6, 2024

/s/ Marissa Ghesquiere
Marissa Ghesquiere